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UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CALIFORNIA EDUCATION COMMITTEE, LLC and PRISCILLA SCHREIBER,

Plaintiffs,

v.

ARNOLD SCHWARZENEGGER, in his official capacity as Governor of the State of California, EDMUND G. BROWN, JR., in his official capacity as Attorney General of the State of California; JACK O'CONNELL in his official capacity as California Superintendent of Public Instruction; and DOES 1 through 20 inclusive,

Defendants.

Case No.: 07-CV-02246-BTM-WMC

JOINT MOTION REQUESTING LEAVE FOR PROPOSED DEFENDANT-INTERVENORS EQUALITY CALIFORNIA AND GAY-STRAIGHT ALLIANCE NETWORK TO FILE BRIEF AS AMICI CURIAE IN SUPPORT OF STATE DEFENDANTS' MOTION TO DISMISS

Date: None Specified
Time: None Specified
Courtroom: 15
Judge: Hon. Barry Ted Moskowitz

Additional Counsel for Plaintiffs
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All of the parties to this action, as well as Proposed Defendant-Intervenors EQUALITY CALIFORNIA and GAY-STRAIGHT ALLIANCE NETWORK ("GSA NETWORK"), by and through their respective attorneys of record, hereby agree and stipulate, and jointly move the Court, as follows:

WHEREAS on January 11, 2008, Defendants ARNOLD SCHWARZENEGGER, EDMUND G. BROWN JR., and JACK O'CONNELL, in their respective official capacities as Governor, Attorney General, and Superintendent of Public Instruction of the State of California (collectively "State Defendants"), jointly filed a Motion to Dismiss, which is scheduled to be heard on Friday, February 15, 2008 at 11:00 a.m.;

WHEREAS on December 21, 2007, Proposed Defendant-Intervenors EQUALITY CALIFORNIA and GSA NETWORK filed a Motion to Intervene in this action, which is scheduled to be heard on the same date and at the same time as the State Defendants' Motion to Dismiss (Friday, February 15, 2008 at 11:00 a.m.);

WHEREAS neither Plaintiffs nor the State Defendants in this action oppose the Motion to Intervene of Proposed Defendant-Intervenors EQUALITY CALIFORNIA and GSA NETWORK; and

WHEREAS Proposed Defendant-Intervenors EQUALITY CALIFORNIA and GSA NETWORK wish to present to the Court arguments in support of the State Defendants' Motion to Dismiss in time for Plaintiffs and the State Defendants to respond to such arguments and in order for the Court to consider such arguments and responses in advance of the hearing on the Motion to Dismiss;

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NOW, THEREFORE, THE PARTIES HERETO HEREBY AGREE AND STIPULATE AS FOLLOWS, AND JOINTLY MOVE THE COURT TO ENTER AN ORDER AS FOLLOWS:

On or before January 18, 2008, Proposed Defendant-Intervenors EQUALITY CALIFORNIA and GSA NETWORK may file a brief as amici curiae in support of the State Defendants' Motion to Dismiss.

DATED: January 18, 2008

SHEPPARD MULLIN RICHTER & HAMPTON LLP
NATIONAL CENTER FOR LESBIAN RIGHTS
LAMBDA LEGAL DEFENSE AND EDUCATION FUND
TRANSGENDER LAW CENTER
LAW OFFICE OF DAVID C. CODELL

BY: /s/ Robert S. Gerber
ROBERT S. GERBER
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DATED: January 18, 2008

ADVOCATES FOR FAITH AND FREEDOM
ALLIANCE FOR FAITH AND FREEDOM

BY: /s/ Robert H Tyler
ROBERT H. TYLER
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DATED: January 18, 2008

BY: /s/ Jeffrey I. Bedell
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STEPHEN P. ACQUISTO
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JEFFREY I. BEDELL
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Attorneys for Defendants
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E-Mail: jeff.bedell@doj.ca.gov

CERTIFICATE OF SERVICE

I am employed in the County of San Diego; I am over the age of eighteen years and not a party to the within entitled action; my business address is 12275 El Camino Real, Suite 200, San Diego, California 92130-2006.

On January 18, 2008, I served the following document(s) described as:

JOINT MOTION REQUESTING LEAVE FOR PROPOSED DEFENDANT-INTERVENORS EQUALITY CALIFORNIA AND GAY-STRAIGHT ALLIANCE NETWORK TO FILE BRIEF AS AMICI CURIAE IN SUPPORT OF STATE DEFENDANTS' MOTION TO DISMISS

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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ALLIANCE DEFENSE FUND Timothy D. Chandler 101 Parkshore Drive, Suite 100 Folsom, CA 95630 Telephone: 916-932-2850 Facsimile 916-932-2851 Email: tchandler@telladf.org	Attorneys for Plaintiffs California Education Committee, LLC and Priscilla Schreiber
Edmund G. Brown, Jr. Attorney General of the State of California Christopher E. Krueger Senior Assistant Attorney General Stephen P. Acquisto Supervising Deputing Attorney General Jeffrey I. Bedell Deputy Attorney General 1300 I Street, Suite 125 P. O. Box 944255 Sacramento, CA 94244-2550 Telephone: 916-322-6103 Facsimile: 916-324-8835 Email: Jeff.Bedell@doj.ca.gov	Attorneys for Defendants Arnold Schwarzenegger, in his Official Capacity as Governor of the State of California; Edmund G. Brown Jr., in his Official Capacity as Attorney General of the State of California; and Jack O'Connell, in his Official Capacity as the California State Superintendent of Public Instruction

☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 18, 2008, at San Diego, California.

s/ Rosa Urias
ROSA URIAS